

per



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,038	06/29/2001	Mark S. Schaeffer	FIVE-1	1328
7590		06/02/2004	EXAMINER	
William C. Milks, III		TRUONG, LECHI		
Russo & Hale LLP		ART UNIT		
401 Florence Street		PAPER NUMBER		
Palo Alto, CA 94301		2126		

DATE MAILED: 06/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/896,038

Applicant(s)

AAAA

Examiner

LeChi Truong

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-8, 10-13, 15- 21, 23- 26, 28-30 is/are rejected.
- 7) ☐ Claim(s) 4,9,14,22 and 27 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1- 30 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-8, 10-13, 15-16, 18-21, 23-26, 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) in view of SM (Forte for Java (community edition) user's guide).

3. As to claim 1, APA teaches the invention substantially as claimed including: object oriented programming framework (the framework of the Remote Cog product is object oriented, page 4, ln 1-2), a plurality of method consisting software module (more than one method, page 4, ln 5-6), an object (object, page 4, ln 5-6), a control center comprising a graphical user interface (the Remote Cog product including the control center, page 3, ln 3-10).

4. APA does not teach ordering the methods by a person, an object workbench by person opening a code file, comprising a widow that contains a text list of the individual methods, a pointing device, a dialog box, a editable field within the dialog box for entry by the person, an method software modules can self organize within the object, a developer to specify the order in which methods. However, SM teaches (user can right click and choose Change Order to modify

Art Unit: 2126

the order of components, Chapter 5, section: Developing and Customizing JavaBeans Components/ you to sort the members alphabetically with member type, chapter 4, section Guide to object Browser/ Member pane), an object workbench by person opening a code file (Form Editor window/ the component Inspector's tree, chapter: 5, section selecting components), comprising a widow that contains a text list of the individual methods(the hierarchy of components on the active form, chapter 5, section opening the form editor/ component inspector), a pointing device(pointing, Chapter 2, sec: Context help), a dialog box, a editable field within the dialog box for entry by the person(you will get a dialog box for setting the order of all subcomponents , chapter 5, section: Reordering components within the same container), method software modules can self organize within the object, a developer to specify the order in which methods(chapter 5, section : Reordering components within the same container/ Chapter 4, sec: Member Pane).

5. It would have been obvious to one of the ordinary skill in the art at time the invention was made to combine the teaching of APA and SM because the SM's user can right click and choose Change Order to modify the order of components, Form Editor window/ the component Inspector's tree, the hierarchy of components on the active form, you will get a dialog box for setting the order of all subcomponents would provide tools to make generation and customization of JavaBeans components faster and easier.

6. **As to claim 2**, SM teaches the object library (chapter 5, developing JavaBeans components), a customized object coded by developer (chapter 5, developing and customizing JavaBeans Components).

7. **As to claim 3**, SM teaches Mouse (double clicking, chapter 2, sec: Setting the debugger).

Art Unit: 2126

8. **As to claim 5**, APA teaches the object oriented programming framework (the framework for the Remote Cog product is object oriented, page 4, ln 3-5).
9. **As to claim 6, 7**, SM teaches ordering of method comprising the objects, organizing of methods within the Graphic user interface used to specific the methods (sec: Reordering components within the same container).
10. **As to claim 8**, APA teaches a computer network testing and monitoring tool, enable publishing, controlling and running the object any where on the computer network or internet (page 3, ln 14-22/ page 2, ln 5-15).
11. **As to claim 10, 11**, APA teaches a repository resides in an ODBC (page 4, ln 1-2).
12. **As to claim 12**, SM teaches select the entire object and to drap and drop the entire object into a scenario wizard widow, the editable filed within the dialog box (section Recording components within the same container, ln 1-13).
13. **As to claim 13**, SM teaches a respective icon in the scenario wizard window (chapter 4, section: Member pane, ln 24-36).
14. **As to claim 15**, SM teaches a second dialog box displayed by the graphical user interface (Chapter 5, section reordering components within the same container, ln 8-13).
15. **As to claim 16**, APA teaches control center (page 3, ln 7-10).
16. **As to claim 18**, SM teaches enables customized configuration and implementation of object (chapter 4, searching for files file systems, ln 9-11/ 17-23/ ln 27-28).
17. **As to claim 19**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above.

Art Unit: 2126

18. **As to claim 20**, SM teaches modifying (chapter 4, section: modifying class and element, ln 1-10-11).
19. **As to claim 21, 23**, SM teaches a mouse pointer, selecting method in the list (chapter 5, section: selecting components, ln 1-5).
20. **As to claim 24, 25, 26, 28**, they are apparatus claims of claim 12, 13, 15; therefore, they are rejected for the same reasons as claims 12, 13, 15 above.
21. **As to claim 29**, SM teaches selecting at least one object to be run (chapter 5, section: selecting components, ln 1-10), organizing method, ordering the method (Chapter 5, section reordering components within the same container, ln 8-13).
22. **As to claim 30**, APA teaches testing and monitoring scenarios for computing networks (page 2, ln 19-23).
23. Claims **17** is rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) in view of SM (Forte for Java (community edition) user's guide) in view of Touma et al (US. Patent 5,809,266).
24. **As to claim 17**, SM and APA do not teach a report generator (declarative report, col 3, ln 58-65/ col 4, ln 40-55).
25. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of APA, SM and Touma because Touma's declarative report would provides an environment where a report definition is assembled by building object and giving attributes to the objects.

Allowable Subject Matter

BEST AVAILABLE COPY

Art Unit: 2126

26. Claims 4, 9, 14, 22 and 27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 703-305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

May 27, 2004



MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

BEST AVAILABLE COPY